

08/18/03  
14230 U.S. PTO

Practitioner's Docket No. 6523-10-CON-CON

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Bernie Garceau

For (title): IMPROVED SCISSOR JACK

1. Type of Application

This application is for a continuation.

2. Benefit of Prior U.S. Applications (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date August 18, 2003 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV 265424021US.

Mark A. Watkins  
Type or print name of person mailing paper

Date: August 18, 2003

Mark A. Watkins  
Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

14230 U.S. PTO  
10/643273  
08/18/03

**3. Papers Enclosed**

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

9 Page(s) of Specification  
02 Page(s) of Claims  
2 Sheet(s) of Drawing(s)--Formal

- B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney  
1 Page(s) of abstract  
3 Page(s) of Copy of Assignment filed in parent case

**4. Additional Papers Enclosed**

Information Disclosure Statement (37 C.F.R. § 1.98)

Form PTO-1449 (PTO/SB/08A and 08B)

**5. Declaration or Oath**

Enclosed

Executed by:

Bernie Garceau

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Assignment**

An assignment of the invention to Norco Industries, Inc. is attached. A separate FORM PTO 1595 is also attached.

**9. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application									
CLAIMS AS FILED									
Number Filed			Number Extra			Rate		Basic Fee 37 C.F.R. § 1.16(a) \$750.00	
Total Claims (37 C.F.R. § 1.16(c))	12	-	20	=	0	x	\$ 0.00	=	\$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	-	3	=	0	x	\$ 0.00	=	\$ 0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))							***NV 37 CFR \$1;16;d;2***	\$	0.00
Filing Fee Calculation								\$750.00	

**10. Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.  
Status as a small entity was asserted in the prior application 10/123,739 filed on April 16, 2002 from which benefit is being claimed for this application under 35 U.S.C. § 119(e) which status as a small entity is still proper and asserted for this application.

A copy of the written assertion of small entity filed in the prior application is included.

Filing Fee Calculation (50% of above Filing Fee Calculation) \$375.00

**11. Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$375.00

**Total Fees Enclosed \$375.00**

**12. Method of Payment of Fees**

Attached is a check in the amount of \$375.00.

Charge any additional fees required by this paper or credit any overpayment to Account No. 15-0450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bernie Garceau

Application No.: 10/123,739

Filed: April 16, 2002

For: IMPROVED SCISSOR JACK

Group No.: 3723

Examiner: Shanley, Daniel

Commissioner for Patents

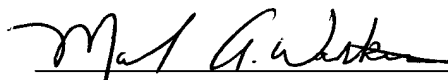
P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a continuation application for this case concurrently herewith.

Date: August 18, 2003

  
Signature of Practitioner

Reg. No.: 33,813

Tel. No.: 330-864-5550

Customer No.: 021324

Mark A. Watkins  
HAHN LOESER & PARKS LLP  
1225 West Market Street  
Twin Oaks Estate  
Akron, OH 44313-7188

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**  
with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***  
x as "Express Mail Post Office to Addressee"  
Mailing Label No. **EV 265424021 US (mandatory)**

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: Aug 18, 2003

Mark Watkins  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATIONS CLAIMED  
(37 C.F.R. § 1.78)**

**13. Relate Back**

**B. 35 U.S.C. Sections 120, 121 and 365(c)**

This is a continuation of pending Application No. 10/123,739, which was filed on April 16, 2002, which in turn was a continuation of Application No. 09/200,375, which was filed on November 24, 1998 and issuing as U.S. Patent No. 6,527,251, of which Application 09/843,975, filed on April 26, 2001 and issuing as U.S. Patent No. 6,375,161, was also a continuation thereof.

**14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

**15. Small Entity (37 C.F.R. § 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application 10/123,739 on April 16, 2002.

A copy of the statement previously filed is included.

**16. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: August 18, 2003

  
\_\_\_\_\_  
Signature of Practitioner

Reg. No.: 33,813  
Tel. No.: 330-864-5550  
Customer No.: 021324

Mark A. Watkins  
HAHN LOESER & PARKS LLP  
1225 West Market Street  
Twin Oaks Estate  
Akron, OH 44313-7188